UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/541,447	03/31/2000	Muhammed Ibrahim Sezan	KLR:7146.065	3680

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EXAMINER
BAUTISTA, XIOMARA L

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _29 March 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-80_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-80_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _29 March 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _11_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 3/29/04 have been fully considered but they are not persuasive.

A.   Applicant argues that "Claim 1 patentably distinguishes over Seidman et al. by claiming a search preferences description, as claimed. In contrast, the hyperlinks and keyword search 26, referred to by the Examiner as 'search activity'...are simply functionality provided by the system. This 'search activity' is not maintained in the manner of record, such as the SH records previously described...there is no suggestion nor motivation in Seidman...to include a description for the searching preferences." (page 30, last paragraph; page 31, lines 1-2).

In response, Seidman discloses a dynamic system (viewer response system=VRS) for interactive (rapidly adaptive) delivery of data. The system delivers multimedia resources to the user on the basis of selection (user activity) and search activity (browsing preferences description) performed by the user. Information is filtered by the user's viewer profile (usage preferences description/filtering preferences description). The user selection history information (usage history description) is added to the selection history associated with the user's profile (abstract; col. 2, lines 5-61; 3, lines 1-8, 16-19). User Profiles are descriptions, records, and histories of the user's behaviors, activities, interests, preferences, etc. Seidman's system has a Viewer Response Monitoring that keeps track of viewer selection information and periodically reports is to the head end; Iterative Video-Based Data Search and Retrieval; Dynamic Customization of Embedded Data, which adapts to viewer's current interests by modifying data files embedded in the stream; Personalized Program Creation, which enables creation by the viewer (or automatically by the STB) of a display program suited to the viewer's interests (col. 3, lines 34-65).

B.   Applicant argues that "[t]here is not teaching in Seidman...that this 'message filtering data' 82 is anything more than simply a binary 'flag'...to indicate whether the user wants the embedded data to be shown or not...[t]here is not structure, such as the viewer profile, defined by Seidman...containing such viewer history or interests. (page 31, lines 13-20).

In response, all profiles are filters. Seidman discloses a method of acquiring subscriber selection history information. Seidman teaches that the system maintains a selection database history of user's selections. The selection database history is used to provide the user with customized information in response to selections (col. 4, lines 1-26; col. 5, lines 53-61).

C.   Applicant argues that the "'filtering preferences'....disclosed by Seidman...are simply functionality provided by the system..." (page 32, lines 1-8).

In response, all profiles are filters; they include descriptions of the user's interests, behavior, likes and dislikes. Seidman teaches a system having a profile that filters unwanted content and a VRS that keeps track of a user's viewing history (col. 6, lines 1-55).

D.   Applicant argues that "there is not suggestion nor motivation in Seidman...to include a record for the keyword preferences." (page 32, lines 20-21).

In response, Seidman discloses an Iterative Video-Based Data Search and Retrieval. Seidman teaches that messages pertaining to the embedded data may or may not be filtered out by the microcontroller, depending on the viewer's history and interests. The embedded data is offered to the viewer by display of a 'hyperlink'. When the user selects a hyperlink for the delivery of a unit of embedded data, a selection history record (SHR) is written to the selection history (SH). Upon receipt of this report, the head end system optionally performs a database search on the basis of keywords from the report.

Using the search results (or the contents of the report), the head end will alter the content of the embedded

data to match the current interests of the user and the "zero in" on specific topic areas in which he has

shown interest (col. 8, lines 9-39).

E. .   Applicant argues that "Seidman...does not disclose 'creation preferences'" (page 33, line 1).

In response, Seidman discloses a viewer profile that contains viewer profile information and is

meant to summarize the requirements and preferences of the viewer, for use by the user's system and the

head end. It can be transmitted to the head end for the latter's use, during the process of profile creation.

A user can have any number of viewing profiles, if so desired. (col. 7, lines 63-67; col. 8, line 1).

Specification

2.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate
sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in
length since the space provided for the abstract on the computer tape used by the printer is limited. The
form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided.
The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a
need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It
should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure
defined by this invention," "The disclosure describes," etc.

Claim Objections

3.   Claims 77-80 have been renumbered and also include the word "canceled." It is not clear what

Applicant means by the parenthetical expression "(renumbered, canceled)". It is not clear whether the

claims are being renumbered and canceled. Correction is required. See MPEP 714.22.

4.   Claim 80 was not previously presented. Therefore, it should have the expression "(new)" instead

of "(renumbered, canceled)."

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of
> this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter
> as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   **Claims 1-28, 35-54, 57, and 66-76 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over *Seidman et al* (US 6,298,482 B1) and *Nieminen et al* (US 6,578,075 B1).

Claims 1, 22, 42, 46, 47, and 57:

Seidman discloses a method of delivering data (video, audio) from a server to a plurality of

subscribers connected to the server (abstract; col. 1, lines 6-7; col. 4, lines 30-44; col. 5, lines 13-22).

Seidman teaches a usage preferences description having browsing preferences (col. 2, lines 36-40; col. 3,

lines 51-55; abstract), search activity (col. 2, lines 24-26; col. 3, lines 42-46), filtering preferences (col. 2,

lines 36-40; col. 7, lines 25-29; col. 8, lines 21-23), search on the basis of keywords (col. 8, lines 30-34),

device preferences description relating to user's preferences regarding presentation characteristics (col. 5,

lines 13-22, 53-62; col. 6, lines 26-37, 66-67; col. 7, lines 1-19). Seidman teaches a usage history

description (col. 3, lines 39-41; col. 4, lines 11-26) having browsing history description (col. 5, lines 53-62;

col. 6, lines 1-8, 38-52), filtering history (col. 8, lines 21-23), search history (col. 6, lines 1-8, 38-52),

presentation characteristics (col. 9, lines 5-16; col. 12, lines 19-32). Seidman teaches updating the usage

preferences description based on the content of the usage history description (col. 2, lines 27-31; col. 3,

lines 47-50, 56-62; col. 8, lines 60-67).

Seidman does not teach device preferences description relates to user's preferences regarding

presentation characteristics of the presentation device. However, Nieminen discloses a method for

distributing services and/or programs in a network environment to one or multiple users. Nieminen teaches

the provision of tailored user interfaces. Nieminen teaches that each user is provided with a personal

service according to the facilities he may have and/or preferences (abstract; col. 3, lines 2-16, 32-44, 52-

56; col. 4, lines 26-28). Therefore, it would have been obvious to one having ordinary skill in the art at the

time the invention was made to include Nieminen teaching of using a divide profile in Seidman's method of

delivering data because it enables the user to have different profiles for different devices and it also

enables the system to distribute services or programs depending on the capability of the device and/or the

user preferences.

Claim 2:

Seidman teaches that the viewer response system (VRS) enables a variety of functions intended

for keeping track of a user's viewing history. The historical information is used, both, at the head end and

at the STB, for customization of content (col. 6, lines 1-5), and users can connect the set-top box (STB) to a

personal computer (PC) for storage and retrieval of large files (col. 6, lines 23-25). PCs enable users to

store data on removable storage devices.

Claims 3-7, 10-14, 23-27, 37-41, 48-52, and 69:

See claim 1. Seidman teaches browsing preferences description (col. 2, lines 36-

40; col. 3, lines 51-55; abstract), filtering preferences descriptions (col. 2, lines 36-40; col. 7, lines 25-29;

col. 8, lines 21-23), and search preferences description (col. 2, lines 24-26; col. 3, lines 42-46), and device

preferences description (col. 5, lines 13-22, 53-62; col. 6, lines 26-37, 66-67; col. 7, lines 1-19).

Claims 8 and 21:

See claims 1 and 2. Seidman teaches a usage preferences description separate from the usage

history description. Seidman teaches that the user creates a user profile (col. 3, lines 51-62), and that

history information is acquired and maintained by monitoring the user's selections and the user's profiles

(col. 4, lines 11-26; col. 6, lines 38-52). Seidman teaches search preferences, filtering preferences, and

browsing preferences. Nieminen teaches device preferences description.

Claim 9:

See claim 1. Seidman teaches updating the usage preferences based on the content of the usage

history description (col. 2, lines 27-31; col. 3, lines 47-50, 56-62; col. 8, lines 60-67).

Claims 15, 16, 66, and 67:

See claim 1. Seidman teaches that every time the user's system is powered on, after system

initialization 17 (which includes identification of the viewer profile), the microcontroller determines if a

historical report is due, based on the "historical report period" parameter 59 in the viewer profile. The report

may be a summary of viewing activity over the report period, or a more detailed description of viewing

behavior based on the "historical report type" parameter 60 in the viewer profile (col. 6, lines 38-52).

Claims 17 and 18:

See claim 15. Seidman teaches that the video programs can be customized at the direction of a

user or group of users (abstract; fig. 9; col. 3, lines 56-62; col. 5, lines 63-67; col. 8, lines 60-67; col. 9, lines

1-4). Seidman teaches a user identification description (col. 6, lines 38-52).

Claims 19, 20, and 68:

See claims 17. Seidman teaches that the user may select (usage preference description) a set of

program segments which may or may not overlap in the time of their broadcast for display (abstract; fig. 9;

col. 3, lines 1-8, 51-55; col. 9, lines 20-26, 61-67). Seidman teaches user identification (col. 6, lines 38-52).

Claim 28:

See claim 1. Seidman teaches a personalized program creation (col. 7, lines 56-66) by user

interaction with the system (col. 3, lines 38-40; col. 6, lines 1-8), and by the user's creation of a profile (col.

3, lines 51-55); a user identification (col. 6, lines 38-52); groups of users (abstract; fig. 9; col. 3, lines 56-62;

col. 5, lines 63-67; col. 8, lines 60-67; col. 9, lines 1-4). Seidman teaches that the "personal information

enable/ disable" parameter 64 in the viewer profile information allows the user to control the amount of his

personal information which is included in the historical report (col. 6, lines 49-52).

Claims 35, 36, and 71:

See claim 1. Seidman teaches that the data contained in the usage history

description is supplemented in response to the user interacting with the system (col. 3, lines 38-40; col. 6,

lines 1-8). Seidman teaches that the data contained in the usage history description is used at the head

end to monitor the popularity of programs and advertisements, and to assemble demographic information

on viewers (col. 6, lines

1-8).

Claim 43:

See claim 1. Seidman teaches that the user is enabled to update the usage preferences (col. 3,

lines 42-46; col. 5, lines 53-62).

Claims 44 and 45:

Seidman teaches selective updating based upon usage preferences description (col. 5, lines 53-

61) and usage history description (col. 6, lines 1-8).

Claim 53:

See claim 1. Seidman teaches different settings based on the type of content, time of content

presentation, video presentation and audio presentation that is being used (abstract; figs. 5, 6; col. 3, lines

51-55; col. 7, lines 39-46).

Claim 54:

Seidman teaches selection history records (SHR), which are used in the creation of historical

reports. A SHR records profile name, date, time, the channel tuned to, the program name, the program

category (e.g. news, drama), type of interactivity application (e.g. home shopping), and selection

information (col. 7, lines 39-55).

Claim 70:

See claim 35. Seidman teaches that usage history description is provided to the user and the head

end, which provides a summary of a video or audio media stream (abstract; col. 3, lines 39-41; col. 6, lines

1-8, 53-65; figs. 5, 6).

Claims 72-76:

See claim 1. Seidman teaches browsing preferences description (col. 2, lines 36-

40; col. 3, lines 51-55; abstract), filtering preferences descriptions (col. 2, lines 36-40; col. 7, lines 25-29;

col. 8, lines 21-23), and search preferences description (col. 2, lines 24-26; col. 3, lines 42-46), and device

preferences description (col. 5, lines 13-22, 53-62; col. 6, lines 26-37, 66-67; col. 7, lines 1-19).

7.   **Claims 29-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over** *Seidman/*

Nieminen **and** *Sezan et al* **(US 6,236,395 B1).**

<u>Claim 29:</u>

        Seidman/Nieminen does not teach a generation module that generates program highlights.

However, Sezan discloses a system for audiovisual information browsing, filtering, searching, archiving,

and personalization. Sezan teaches a generation module 44 that receives system information for a system

description scheme. The generation module receives user information including data for the user

description scheme, which is provided to the analysis module 42 for selective analysis of the programs 38.

Sezan teaches that the user description scheme may be suitable for triggering the highlight generation

functionality for a particular program and thus generating the preferred view (abstract; col. 8, lines 56-67;

col. 9, lines 1-5, 34-67; col. 10, line 1). Thus, it would have been obvious to one ordinarily skilled in the art

at the time of invention to include Sezan's teaching of program highlights in Seidma/Nieminen's invention

because they provide the user with especially significant events or detailed information about programs the

user is truly interested in.

<u>Claim 30:</u>

        Seidman/Nieminen does not teach a generation module that generates close up views. However,

Sezan teaches a program description scheme that contains program views, which support close-up view.

Sezan teaches that in the close-up view, an image object, such as a famous player, can be viewed up

close by playing back a close-up sequence that is separate from the original program. Therefore, it would

have been obvious to a person having ordinary skill in the art at the time of invention to include Sezan's

teaching of a close-up view in Seidma/Nieminen's invention because it provides the user with a television

program or shot taken at close range.

Claim 31:

Seidman/Nieminen does not teach a generation module that generates key frames. However, Sezan teaches program views that define logical structures of the potentially to be viewed suitable for efficient browsing. The program views may contain fields containing data for the identification of key frames. The program view descriptions may contain key frame views so that users can filter and search at the program level and also within a particular program. A key frame view provides multiple levels of summary ranging from coarse to fine (col. 4, lines 40-67; col. 8, lines 42-55). Thus, it would have been obvious to an artisan in the art at the time the invention was made to include Sezan's teaching of key frames in Seidman/ Nieminen's invention because they provide the user with frames that are significant and important to the user.

Claim 32:

Seidman/Nieminen does not teach a generation module that generates character profiles. However, Sezan teaches a character profile that may contain spatio-temporal position and size of a rectangular region around the character of interest. The character profile may also provide provision for including text annotation and audio annotation about the character and any other suitable information (col. 5, lines 15-32). Thus, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to include Sezan's teaching of a character profile in Seidman/ Nieminen's invention because the user is provided with a visual description of the qualities or features that distinguish a person from another.

Claims 33 and 34:

See claim 1. Seidman teaches browsing preferences description (col. 2, lines 36-40; col. 3, lines

51-55; abstract), filtering preferences descriptions (col. 2, lines 36-40; col. 7, lines 25-29; col. 8, lines 21-

23), and search preferences description (col. 2, lines 24-26; col. 3, lines 42-46), and device preferences

description (col. 5, lines 13-22, 53-62; col. 6, lines 26-37, 66-67; col. 7, lines 1-19).

3.   **Claims 55, 56, and 58-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Seidman/Nieminen and Williams et al (US 5,977,964).

Claim 55:

        See claim 1. Seidman teaches time settings (time of content presentation), (figs. 4, 6; col. 7, lines

44-45). Seidman does not teach that the time of content presentation includes at least one of morning,

afternoon, evening, weekday, and weekend. However, Williams describes a system controller 104 that

dynamically configures system configuration settings of system 100 in accordance with the user preference

information found in the user profile corresponding to the identified user. The configuration can be based

on the user's preferred system access times (col. 5, lines 42-49), that is a particular time period(s) of the

day based on the user's preferred system access times (col. 7, lines 59-65). Therefore, it would have been

obvious to one ordinarily skilled in the art at the time the invention was made to modify Seidman's history

records to include Williams's user's preferred access time because it provides the user with programming

options that are available at the times that he/she most frequently watches.

Claim 56:

        Seidman teaches that the audio signal is encoded and decoded as two channels, with the

additional option of Dolby noise reduction and surround sound (col. 11, lines 39-41). Seidman/Nieminen

fails to teach an audio presentation device that includes stereo sound, mono sound, surround sound, AC-3,

and Dolby Digital. However, Williams discloses a method for automatically configuring a system based on a user's monitored system interaction and user profile (abstract; col. 2, lines 12-22). Williams teaches that a wide range or configurable options can be monitored and stored in user profile database 800. Additional user preferences may be stored (such as, surround sound processing types, including Dolby Surround, Dolby Digital, Dolby Surround Pro Logic, Dolby 3 Stereo, and THX), various surround sound processing modes, stereophonic mode, monophonic mode, etc. (col. 4, lines 45-65; col. 6, lines 50-61). Thus, it would have been obvious to a person having ordinary skill in the art at the time of invention, to include Williams's sound configurable options in Seidman's dynamic system for customizing content because, the user is provided with a show that is displayed in the sound that is being broadcasted, that is, the sound that is appropriate to the show.

Claims 58 and 59:

See claim 55. Williams teaches that preferred system access times of the user are identified based on the user profile and the user's preferred access times, that is, the time a particular program is watched and the duration of the program (abstract; col. 2, lines 1-5; col. 5, lines 42-49; col. 7, lines 44-65; col. 8, lines 1-3; col. 13, lines 13-62; col. 15, lines 64-67; col. 16, lines 1-18). The usage user's profile is updated based on the program duration (abstract; col. 2, lines 12-22).

Claim 60:

See claim 2. Seidman teaches that users can connect the set-top box (STB) to a personal computer (PC) for storage and retrieval of large files (col. 6, lines 23-25). PCs enable users to store data on removable storage devices.

Claims 61-65:

See claim 1. Seidman teaches browsing preferences description (col. 2, lines 36-

40; col. 3, lines 51-55; abstract), filtering preferences descriptions (col. 2, lines 36-40; col. 7, lines 25-29;

col. 8, lines 21-23), and search preferences description (col. 2, lines 24-26; col. 3, lines 42-46), and device

preferences description (col. 5, lines 13-22, 53-62; col. 6, lines 26-37, 66-67; col. 7, lines 1-19).

6.   **Claims 77-80 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Gerace* (US**

5,848,396).

Claims 77, 79, and 80:   .

Gerace discloses a method for determining behavioral profile of a computer user. The method

provides targeting of appropriate audience based on psychographic or behavioral profiles of end users

(abstract; col. 2, lines 1-23). Gerace teaches a user interface object 37c that provides indications of

categories of interest to the user and a screen display for each category customized to that user. Various

categories of interest include sports, personal information, and the like (col. 6, lines 22-32). Gerace

explains that a Home Page 43 provides scores of games and news in the "sports" category. A "General

Sports Page" format includes game scores, player standings for baseball, football, hockey, and basketball.

Statistics are updated and displayed. Indications of favored teams and game scores for an entire season

are also provided on a "Team v. Team Page" Display Object 35c (col. 8, lines 13-41; col. 21, lines 61-67;

col. 22, lines 1-9). Gerace does not explicitly teach a plurality of frames comprising usage preferences

description associated with a different season of the year such as winter, spring, summer, and/or fall.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was

made to include usage preference descriptions associated with a different season of the year because the

user is provided with programming or information based on his/her preferences, and on a specific recurrent

period of time, so that the user never misses any program of his/her interest.

Claim 78:

See claim 77. Gerace teaches a "sports" category and a page format having programming and

additional information of football, baseball, and hockey (col. 8, lines 13-41; col. 21, lines 61-67; col. 22,

lines 1-9).

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the

extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the

mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this

final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened

statutory period, then the shortened statutory period will expire on the date the advisory action is mailed,

and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory

action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the

date of this final action.

12.   Any inquiry concerning this communication or earlier communications from the examiner should be
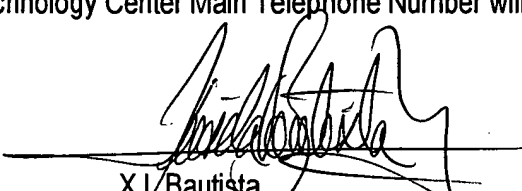
directed to X L Bautista whose telephone number is (703) 305-3921. The examiner can normally be

reached on Monday-Thursday (8:00-18:00), Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where

this application or proceeding is assigned is 703-872-9306.

13.   Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at

866-217-9197 (toll-free).

PTO Move Information

14.   The Patent and Trademark Office will be moving to Carlyle in October 2004 (October 12th through

October 28th). The Examiner's new telephone number will be (571) 272-4132; The Examiner's SPE new

telephone number will be (571) 272-4136; and the Technology Center Main Telephone Number will be

(571) 272-2100.

X L Bautista
Examiner
Art Unit 2179

xlb
October 1, 2004

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173